IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 5901 of 2007(C)

OS.22/1976 of MUNSIFF COURT,VARKALA

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PETITIONER:

BEEVI KUNJU, NAMBAN KONATH,
CHERUKUVILA VEEDU, MADAVOOR.

BY ADV. SRI.M.BALAGOVINDAN

RESPONDENTS:

1. IBRAHIM SUBAIDA,
   NAMBANKONATHU VALIYAVILA
   PURAYIDAM,
   PALLICHAL VILLAGE.

2. PONCINA BEEVI, D/O.SUBAIDA BEEVI,
   VALIYAVILA, MADAVOOR P.O.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.P. Balachandran, J.

W.P.(C)No. 5901 of 2007 C

JUDGMENT

The petitioner is the decree holder in O.S.No. 22/76 on the file of the Munsiff's Court, Varkala. The prayer in this writ petition is for a direction being issued to the Munsiff's Court, Varkala to consider and pass appropriate orders in E.A.No. 170/06 in E.P.No.49/01 in O.S.No.22/76 within a time schedule fixed by this Court.

2. Heard the submissions of the petitioner/ decree holder.

3. It is submitted by the counsel for the petitioner/decree holder that despite lapse of several years, the petitioner/decree holder is not able to get the fruits of the decree. It is seen that the suit is of the year 1976 and thirty years have elapsed after the institution of the suit.

In the circumstances, I dispose of this writ petition, directing the Munsiff, Varkala to dispose of E.A.No.170/06 in E.P.No.49/01 in O.S.No.22/76, pending in his court, without any further delay and in any event, within three months from today.

26th February, 2007 (K.P.Balachandran, Judge)

tkv